

STATE OF WISCONSIN

CIRCUIT COURT
CRIMINAL DIVISION

MILWAUKEE COUNTY

STATE OF WISCONSIN

CRIMINAL COMPLAINT

Plaintiff,

vs.

DA Case No.: 2012ML001725

Wink, Darlene J.
3876 East Holmes Avenue
Cudahy, WI 53110
DOB: 09/14/1950

Complaining Witness:

Investigator Robert Stelter

Defendant,

Court Case No.:

12CM000579

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON
INFORMATION AND BELIEF, STATES THAT:

COUNT 1: POLITICAL SOLICITATION BY PUBLIC EMPLOYEE

The above-named defendant, on about October 6, 2009, at 901 North 9th Street, Milwaukee, Wisconsin, did remain in a building occupied by Milwaukee County government for the purpose of requesting or collecting a contribution, all contrary to Sections 11.36(4) and 11.61(1)(c) of the Wisconsin Statutes.

AS TO COUNT 1:

Upon conviction of this offense, an unclassified misdemeanor, the defendant may be fined not more than \$1000, or imprisoned not more than six months or both.

COUNT 2: POLITICAL SOLICITATION BY PUBLIC EMPLOYEE

The above-named defendant, on about December 3, 2009, at 901 North 9th Street, Milwaukee, Wisconsin, did remain in a building occupied by Milwaukee County government for the purpose of requesting or collecting a contribution, all contrary to Sections 11.36(4) and 11.61(1)(c) of the Wisconsin Statutes.

AS TO COUNT 2:

Upon conviction of this offense, an unclassified misdemeanor, the defendant may be fined not more than \$1000, or imprisoned not more than six months or both.

Complainant states that he is a Milwaukee County District Attorney Investigator and bases his complaint upon the sources of information identified in the paragraphs below.

A. AUTHORIZATION OF DOE JUDGE

This investigation was conducted under the auspices of an ongoing Milwaukee County John Doe investigation, Milwaukee County Case No. 10JD000007. The Honorable Neal Nettesheim presides over this John Doe proceeding. The John Doe is subject to a Secrecy Order. To the extent that the John Doe investigation relates to Darlene Wink, former County Executive Scott Walker and such other

individuals as are named in this complaint, Judge Nettesheim has authorized the release of information necessary for the prosecution of this criminal matter.

B. IDENTIFICATION OF RELEVANT PARTIES

For purposes of this complaint, the following persons are identified in alphabetical order and described by role as it relates to this criminal complaint.

Dieck, Rose Ann. Rose Ann Dieck was the membership chairperson for the Republican Party of Milwaukee County. She also served as the chair of the Southwest Suburban branch of the Republican Party of Milwaukee County (RPMC).

Evenson, Tom. Mr. Evenson was a field representative with the campaign committee known as the Friends of Scott Walker.

Fadness, Joseph. Joseph Fadness was the Operations Manager for the campaign committee known as the Friends of Scott Walker.

Hoisington, Josh. Mr. Hoisington was a member of the RPMC and served as the chairperson for the West Allis-West Milwaukee branch of the RPMC.

Karst, David. David Karst was the chairman of the Republican Party of Milwaukee County.

RPMC. This acronym identifies the Republican Party of Milwaukee County (RPMC).

Ripka, Herb. Mr. Ripka (referred to as "Herb" in a number of the Wink e-mails set forth below) was the Secretary of the Republican Party of Milwaukee County. Mr. Ripka was responsible for issues related to the RPMC web site and RPMC mass e-mail notifications.

Russell, Timothy D. Mr. Russell was the Deputy Chief of Staff in the Office of the County Executive at times relevant to this complaint prior to March 2010. In March 2010, he was given the position of Housing Director for the Department of Health and Human Services. Mr. Russell also served as the Treasurer for the Republican Party of Milwaukee County.

Walker, Scott K. Mr. Walker, the current Governor of the State of Wisconsin, was at all times relevant to this criminal complaint the County Executive of Milwaukee County. Mr. Walker was also a candidate for Governor, and he was the candidate supported by the campaign committee known as the Friends of Scott Walker.

Wink, Darlene. Ms. Wink was an employee responsible for Constituent Services in the Office of the Milwaukee County Executive. She was the First Vice Chairperson of the Republican Party of Milwaukee County.

C. VENUE AND JURISDICTION

Based upon a review of Ms. Wink's personnel file which was produced pursuant to a John Doe subpoena by Candace Richards of the Department of Human Resources of Milwaukee County, Ms. Wink resided at 3876 East Holmes Avenue, Cudahy, Wisconsin at all times relevant to this complaint.

The Human Resources records reflect that Ms. Wink was employed as an Executive Assistant in the Office of the County Executive for the period of May 30, 2002 to May 14, 2010. Wink worked on Constituent Services issues.

The Office of the County Executive is located in the Milwaukee County Courthouse at 901 North 9th Street, City of Milwaukee, State of Wisconsin.

Milwaukee County is a political subdivision of the State of Wisconsin.

D. STATUTES AND RULES APPLICABLE TO MILWAUKEE COUNTY EMPLOYEE CONDUCT

Wisconsin Statutes Section 11.36(4) provides:

No person may enter or remain in any building, office or room occupied for any purpose by . . . any political subdivision [of the State] . . . or send or direct a letter or other notice thereto for the purpose of requesting or collecting a contribution.

Wisconsin Statutes Section 11.36(2) provides:

No person may solicit or receive from any officer or employee of a political subdivision of this state any contribution or service for any political purpose during established hours of employment or while the officer or employee is engaged in his or her official duties.

E. THE RECORDS OF THE CERIDIAN TIMEKEEPING SYSTEM FOR MILWAUKEE COUNTY DOCUMENT WHEN DARLENE WINK WAS WORKING AS AN EMPLOYEE AND WHEN SHE CLAIMED OFF-TIME

I am familiar with a Milwaukee County timekeeping system known as the "Ceridian" system. In the course of this John Doe investigation, subpoenas were served upon Milwaukee County for records relating to the time reporting of Darlene Wink. These records reflect Wink's off-time due to vacation, personal holidays, sick time and other forms of sanctioned employee leave. Except as otherwise noted in the paragraphs below, when I refer to an action taken by Darlene Wink between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, I have checked the Ceridian records and confirmed that Darlene Wink reported no employee off-time on that day.

F. FROM HER DESK IN THE MILWAUKEE COUNTY EXECUTIVE'S OFFICE, MS. WINK WORKED TO ORGANIZE AN EVENT SHE STYLED AS "HAPPY BIRTHDAY SCOTT," A FUNDRAISER COMMEMORATING SCOTT WALKER'S GUBERNATORIAL CANDIDACY AND HIS FORTY-SECOND BIRTHDAY

In September 2009, the Friends of Scott Walker and the Republican Party of Milwaukee County were planning a November 6, 2009 fundraiser intended to honor Scott Walker's 42nd birthday and the "one year out" point in time from the November 2, 2010 gubernatorial election.

Ms. Wink used her county computer (at least in part) to plan this fundraiser event. Ms. Wink also used a personal laptop which she brought to work and which was equipped with a USB device allowing her to connect to the Internet.

On May 14, 2010, the John Doe Judge issued a search warrant for the Milwaukee County computer used by Darlene Wink in the County Executive's Office. That computer was examined by Mr. James Krueger, a certified EnCase forensic computer examiner and the Information Technology Manager for the Milwaukee County District Attorney's Office. In the course of his examination of the county computer, Krueger first identified the fact that Wink used one Internet e-mail account, rpmcwp@yahoo.com. Subsequently, Krueger discovered the use of an account styled darlenewink@yahoo.com. On July 1, 2010, following Preservation Letter requests¹ dated May 15, 2010 and May 21, 2010, the John Doe Judge issued a Search Warrant for the Internet e-mail accounts of rpmcwp@yahoo.com and darlenewink@yahoo.com.²

Krueger also discovered certain Internet chat sessions on the county hard drive. Figure 1 is one such chat session with Joe Fadness. Joe Fadness was the Operations Manager for the campaign committee known as the Friends of Scott Walker.

Besides being the Operations Manager for the Friends of Scott Walker, Joe Fadness stated he served with Darlene Wink in the County Executive's Office as an Intern from 2003 to 2005. Fadness Doe Testimony pages 24-25.

Figure 1 is a partial segment of the chat session. It is dated Wednesday, September 16, 2009, a workday for Ms. Wink. The time listed within the chat is Greenwich Mean Time (GMT). Greenwich Mean Time is five hours ahead of Central Daylight Time (CDT). Consequently, the chat session shown in Figure 1 took place between 10:51 a.m. and 10:55 a.m. CDT on September 16, 2009.

¹ By operation of law, a law enforcement official is authorized to request an Internet Service Provider (ISP) to preserve subscriber data in its custody. Once requested, the ISP must preserve that data for a period of at least ninety days until a Search Warrant – or other appropriate process – is forwarded to the ISP. See 18 U.S.C. § 2703(f).

² As developed in other parts of this John Doe investigation, Ms. Wink used a personal laptop computer while she worked in the County Executive Offices. That an e-mail was recovered from the account of rpmcwp@yahoo.com or darlenewink@yahoo.com is not necessarily evidence that Ms. Wink used her county computer to send or receive that e-mail.

Joseph_fadness (3:51:25 PM GMT): FYI - Serb Hall is busy on the night we discussed
 Joseph_fadness (3:51:26 PM GMT): I call this morning
 Joseph_fadness (3:51:29 PM GMT): *called
 darlenewink (3:53:28 PM GMT): OK - thanks - then it looks like we are back to Klemmers - we at least
 have it reserved - they are located a block and half away from the freeway - I checked that.
 Joseph_fadness (3:53:58 PM GMT): ok
 Joseph_fadness (3:54:24 PM GMT): My fear is that it is too far south west for anyone from surrounding
 northern counties to join us
 Joseph_fadness (3:54:28 PM GMT): We will have a big crowd
 Joseph_fadness (3:54:42 PM GMT): but I have not alternative suggestions at the moment.
 Joseph_fadness (3:55:07 PM GMT): no worse than serb hall in term of being south I guess - just a few
 miles to the west

Figure 1

Pursuant to John Doe subpoena, the telecommunications carrier Sprint produced records pertaining to a phone possessed by Darlene Wink. These records indicate that this chat (Figure 1) was preceded by a phone call made by Wink to Joe Fadness at (414) 507-9577 at 10:19 a.m. on September 16, 2009. The call lasted about ninety seconds. Wink placed a second call to Fadness, the campaign Operations Manager, at 4:49 p.m. that same day. This call also lasted about a minute and one-half.

In his John Doe testimony, while Mr. Fadness stated he did not remember this precise chat conversation (Figure 1), Fadness confirmed that this was an apparent transcript of a chat between himself and Darlene Wink. Fadness Doe Transcript page 75. Of the fundraising events he arranged with Ms. Wink, Mr. Fadness had trouble recollecting which event and venue that this chat concerned. Fadness testified (at Doe Transcript page 75 – 76):

- 22 A. I know we've had events there, I don't know what
 23 this particular event is or was.
 24 Q. Okay. Do you recall any events that were -- you
 25 were working on together with Ms. Wink in the fall
 1 of 2009 that would have been held in Serb Hall or
 2 Klemmer's?
 3 A. This is September, Mr. Walker's birthday is in
 4 November, and of course we have Christmas in
 5 December, so I'm not sure. Perhaps it was one of
 6 those events.

Based upon a review of e-mails recovered from rpmcwp@yahoo.com, during Darlene Wink's workday on Monday September 21, 2009, at 1:57 p.m., Ms. Wink sent the following e-mail to Joe Fadness. See Figure 2. Sprint cell phone records indicate that this e-mail was preceded by a twelve minute phone call initiated by Wink to Fadness at 12:48 p.m.

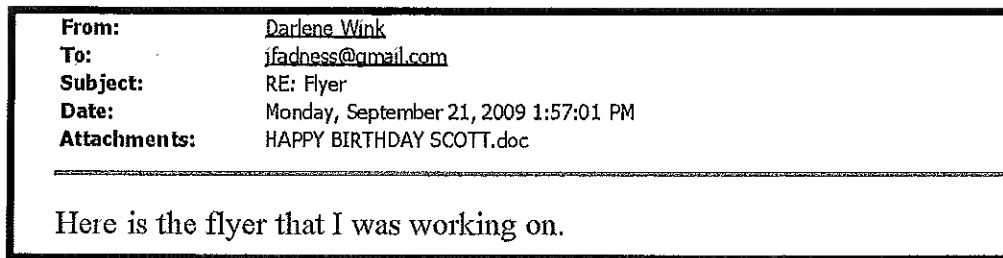


Figure 2

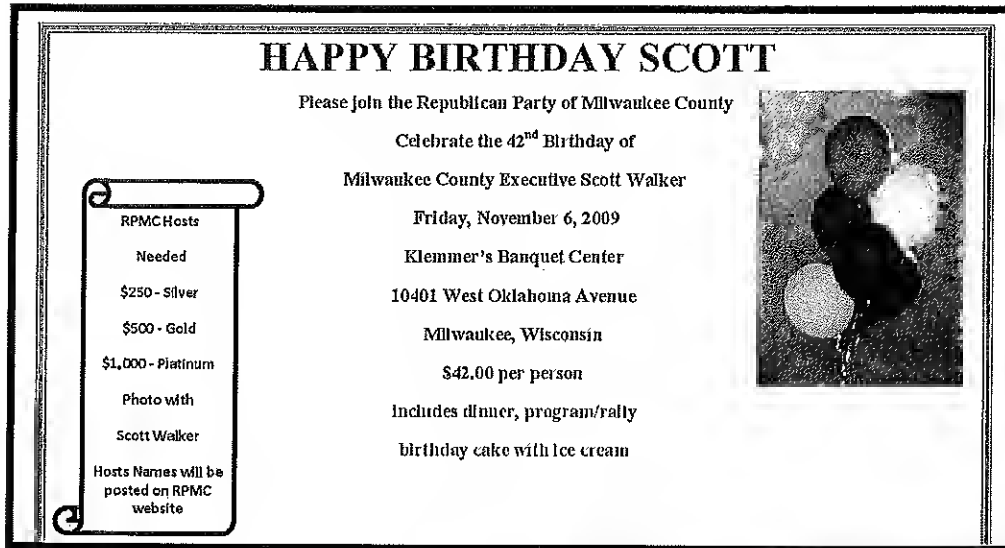


Figure 3

Shown here as Figure 3, Wink attached her draft proposal for the "Happy Birthday Scott" invitation.

Fadness sent his own version of the invitation late in the evening of September 24, 2009. See Figure 4.

On Friday September 25, 2009, at 9:23 a.m., while she was at work, Wink replied to Fadness and she noted that Fadness has changed her donor categories. Compare Figure 3 (Wink's invitation listing Silver at \$250, Gold at \$500, and Platinum at \$1,000) to Figure 4 (Fadness' invitation listing Silver at \$100, Gold at \$250, and Platinum at \$500).

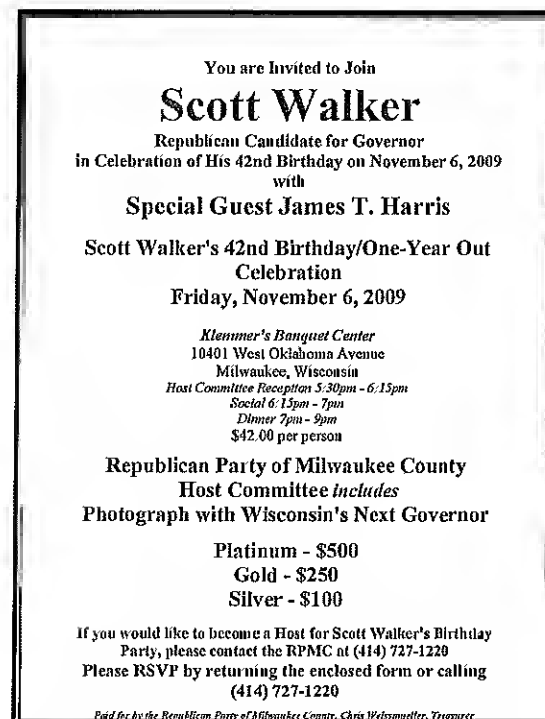


Figure 4

Wink pointed out to Walker Operations Manager Joe Fadness that she already had donors at the "Platinum level" and she tells Fadness that they needed to find another precious metal category. See Figure 5.

Wink also pointed out that they have no confirmation that James T. Harris will serve as the Master of Ceremonies. See Figure 5.³ Ms. Wink notes that a separate return card will also be needed, if they use the invitation form specified by Fadness.

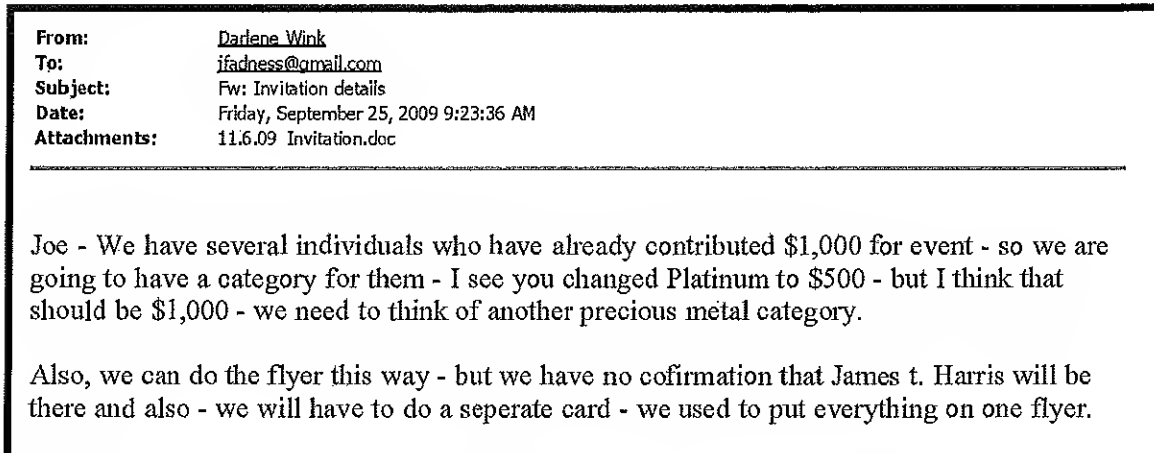


Figure 5

That following Wednesday, on September 30, 2009, at 9:06 a.m. CDT while Darlene Wink was at work, Fadness initiated a live chat session and continued the discussion concerning the "Happy Birthday Scott" fundraiser. See Figure 6.

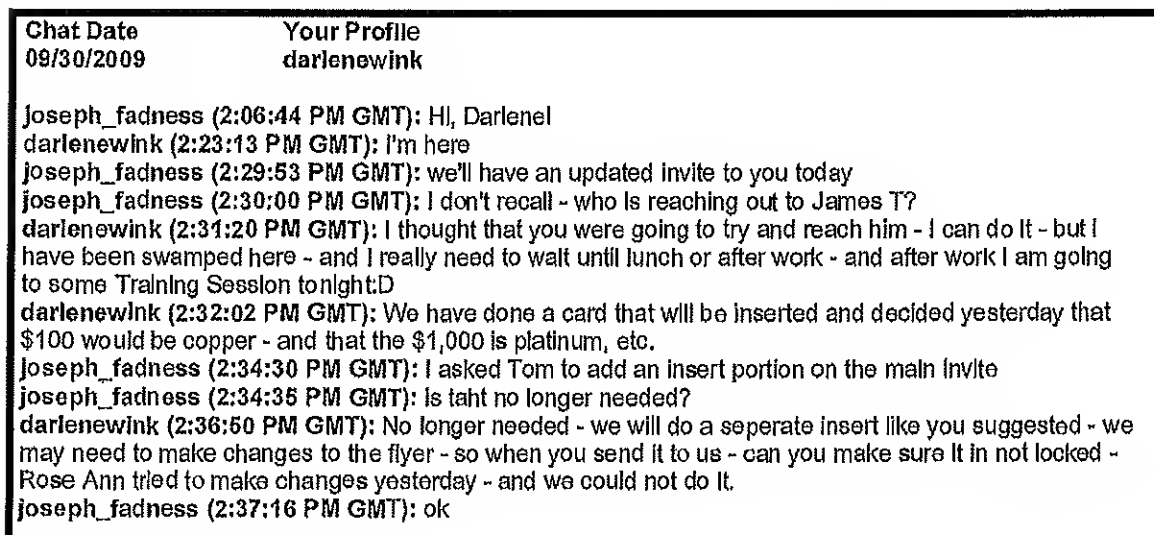
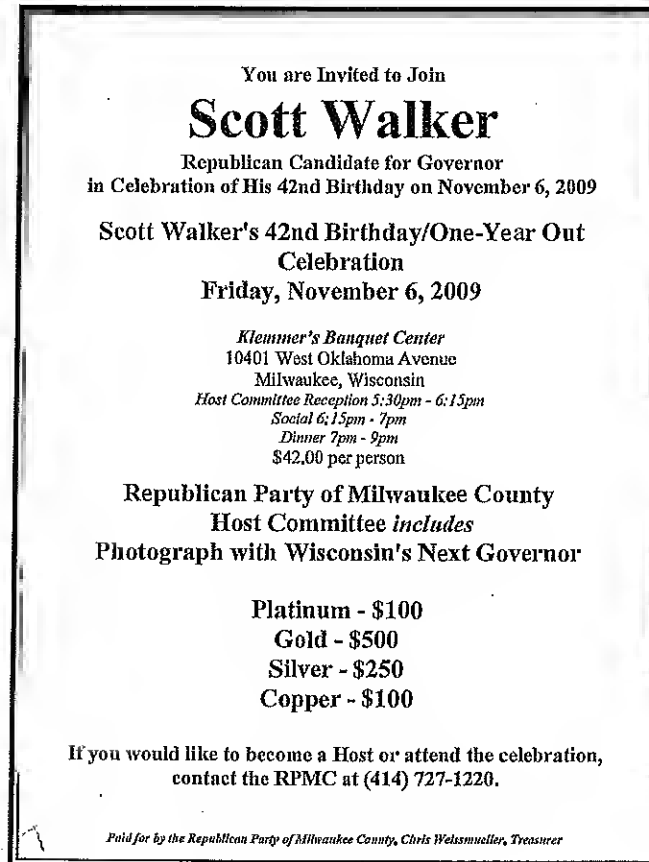


Figure 6

In this chat, the Walker Operations Manager (Fadness) promised to send along an updated invitation. There was also a discussion about securing the services of Emcee James T. Harris, and Darlene Wink offered to reach out to him, but she

³ This e-mail was recovered by virtue of a search warrant served on Yahoo for the account of rpmcvp@yahoo.com.

warns Fadness that - because she is "swamped" - she wouldn't be able to do so until lunch or after work. See Figure 6. Wink advised Fadness that she did an "insert card" with a new precious metal category - copper. The chat ended at 9:37 a.m., with the bulk of the conversation occurring between 9:23 a.m. and 9:37 a.m. CDT.



In an e-mail to Ms. Wink⁴ on Thursday, October 1, 2009, at 3:37 p.m. during Ms. Wink's workday, Mr. Fadness forwarded the updated invitation that he had promised at 9:29 a.m. the day before. This version incorporated a "Copper" category. See Figure 7.

On Friday October 2, 2009, at 8:23 a.m., Ms. Wink e-mailed Rose Ann Dieck of the RPMC to discuss the November 6, 2009 event. The e-mail is an apparent reference to the methods that will be used to publicize the event and Ms. Wink stated her expectation that the Walker campaign will be doing e-mail blasts. See Figure 8.

Figure 7

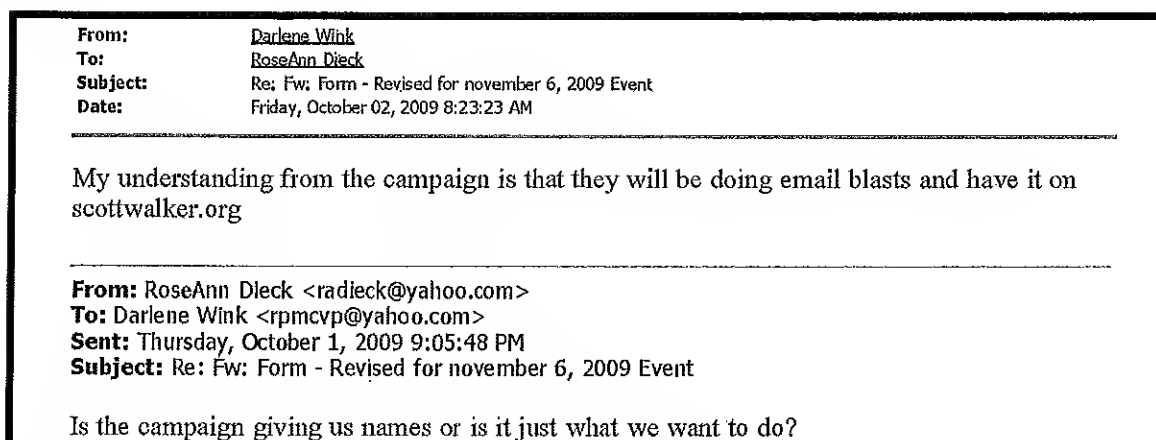


Figure 8

⁴ The e-mail was recovered as a result of a search warrant served on jfadness@gmail.com. The e-mail was sent to Wink at darlenewink@yahoo.com.

The Figures on this page and the next (Figure 9 to Figure 15) represent Ms. Wink's continuing work on the Happy Birthday event, especially as it relates to developing materials intended to solicit contributions, viz., fundraiser invitations and response forms. These e-mails were recovered from the rpmcvc@yahoo.com e-mail account.

From: [Darlene Wink](#)
To: [David Karst](#)
Cc: [Rose Ann Dieck](#)
Subject: RE: Invitation
Date: Friday, October 02, 2009 8:47:09 AM
Attachments: [11.6.09 Invitation.doc](#)

Sorry - here is the flyer with the updated changes per David. Also if Vickie McKenna is going to be Emcee - let me know and I will change flyer.

Figure 9

From: [Darlene Wink](#)
To: [David Karst](#)
Cc: [Rose Ann Dieck](#)
Subject: RE: Invitation - Revised - 10-02-09 10:30 a.m.
Date: Friday, October 02, 2009 10:31:40 AM
Attachments: [11.6.09 Invitation.doc](#)

Here are revisions on the flyer.

Figure 10

From: [RoseAnn Dieck](#)
To: [Darlene Wink](#)
Subject: RE: Invitation
Date: Friday, October 02, 2009 10:36:12 AM
Attachments: [Scott Walker Birthday Response Form.docx](#)

Check out this response form.

Figure 11

From: [Darlene Wink](#)
To: [RoseAnn Dieck](#)
Subject: Re: Invitation
Date: Friday, October 02, 2009 11:10:31 AM

I just highlighted everything - I see you have a student price - I will have change flyer to reflect that.

From: RoseAnn Dieck <radieck@yahoo.com>
To: Darlene Wink <rpmcvc@yahoo.com>
Sent: Friday, October 2, 2009 10:36:05 AM

Figure 12

From: Darlene Wink
To: David Karst
Cc: Rose Ann Dieck
Subject: RE: Revised Invitation with student price added
Date: Friday, October 02, 2009 11:12:53 AM
Attachments: 11.6.09 Invitation.doc

Here is an updated version of the flyer - change is the student price we added.

Figure 13

From: dkarst@wi.rr.com
To: Darlene Wink
Subject: RE: Revised Invitation with student price added
Date: Friday, October 02, 2009 12:18:43 PM

The invitation looks great! I would suggest a student price of 425.
Thnaks
david

Figure 14

From: Darlene Wink
To: dkarst@wi.rr.com
Cc: Rose Ann Dieck
Subject: Re: Revised Invitation with student price added
Date: Friday, October 02, 2009 1:21:03 PM
Attachments: 11.6.09 Invitation.doc
Scott Walker Birthday Response Form Revised by Rose Ann - 10-02-09.doc

My guess is that you mean \$25 - I made the changes you requested

Figure 15

On the evening of Monday October 5, 2009, Walker Campaign Operations Manager Joe Fadness requested the final form of the invitation.⁵ Ms. Wink sent the campaign the final invitation form on Tuesday, October 6, 2009 at 9:27 a.m.⁶ This "final form" set a student price at \$25. See Figure 16.

From: Darlene Wink
To: Joe Fadness
Subject: RE: Invitation
Date: Tuesday, October 06, 2009 9:27:56 AM
Attachments: 11.6.09 Invitation.doc

Here you go - here it is - the mailing will go out on the 7th of October - if you have any additional names that you think we should add to the snail mail piece - let Rose Ann Dieck know - she has the list we are mailing to.

Figure 16

⁵ See footnote 4.

⁶ See footnote 3.

As reflected in Figure 17, the campaign thought that the student price was too high. Wink lowered the price to \$20 as they requested.

From: Darlene Wink
To: David Karst
Subject: RE: Nov 6th Event
Date: Tuesday, October 06, 2009 10:02:44 AM

Campaign asked us to lower the student price to \$20 - they said they thought \$25 to high - I told them we would.

Figure 17

From: Darlene Wink
To: brianschimming@charter.net; schimmingwins@yahoo.com
Date: Tuesday, October 06, 2009 10:44:25 AM
Attachments: 11.6.09 Invitation.doc

Brian:

The RPMC has asked Vicky McKenna last week to be the Emcee at our event on November 6, 2009 to celebrate Scott Walker's 42nd Birthday - she said she would get back to David Karst, Chair for RPMC and has not - I wondered if you could ask her.



I have attached a flyer for the event.

Figure 18

You are Invited to Join

Scott Walker

Republican Candidate for Governor
 in Celebration of His 42nd Birthday on November 6, 2009

**Scott Walker's 42nd Birthday
 One-Year Out Celebration
 Friday, November 6, 2009**

Klemmer's Banquet Center
 10401 West Oklahoma Avenue
 Milwaukee, Wisconsin

1 1/2 blocks south of I-894 Exit - directions - www.klemmersbanquetcenter.com
Host Committee Reception 5:30pm - 6:15pm
Social 6:15pm - 7pm
Sit Down Dinner & Program 7pm - 9pm
\$42.00 per person - \$25.00 Student
(Program includes entertainment by Martin Luther High School Jazz Band)

*Valet Parking - \$5.00 donation
 50/50 Raffle - Tickets - 6/\$5.00*

**Republican Party of Milwaukee County
 Host Committee includes
 Photograph with Wisconsin's Next Governor**

Platinum - \$1,000 (includes table of 10 & group photo)
Gold - \$500 (includes 5 tickets & group photo)
Silver - \$250 (includes 2 tickets & photo)
Copper- \$100 (includes 1 ticket & photo)

If you would like to become a Host for Scott Walker's Birthday
 Party, please contact the RPMC at (414) 727-1220
 Please RSVP by returning the enclosed form or calling
 (414) 727-1220

Authorized & Paid for by the Republican Party of Milwaukee County, Chris Wismadting, Treasurer

Ms. Wink continued to work on the Happy Birthday fundraiser on Tuesday October 6, 2009. As reflected in Figure 18, Ms. Wink made efforts to arrange for Vicki McKenna to serve as Emcee. The flyer that she attached to this e-mail reflects the changed student price of \$20. See Figure 19.

Figure 19

At 11:17 a.m. on that same workday, Tuesday October 6, 2009, Ms. Wink sent the campaign (in the person of Joe Fadness) the revision to the invitation (with lowered student price).⁷ She also included an RSVP form which allowed donors to specify the amount they were contributing to the fundraiser. See Figure 20.

Scott Walker Birthday Response Form	
<input type="checkbox"/> YES! I would like to attend Scott's 42 nd Birthday	First Name _____
Enclosed is my/our contribution of: (No corporate checks please)	Last Name _____
Bill my (circle one) VISA MasterCard American Express Discover	Address _____
Card number _____ Expires _____	City _____ State _____
Security Code _____ Cardholders name _____	Zip _____ Phone _____
Host committee: VIP Reception/Photo/Dinner	Occupation _____
<input type="checkbox"/> Platinum \$1000 <input type="checkbox"/> Gold \$500 <input type="checkbox"/> Silver \$250 <input type="checkbox"/> Copper \$100	Employer _____
<input type="checkbox"/> Individual \$42 <input type="checkbox"/> Student \$20	Employer City _____ State _____
Make checks payable to the Republican Party of Milwaukee County	Email _____
Name(s) on name tags to read: _____	Authorized and paid for by the Republican Party of Milwaukee County
_____	Christopher Wiesmueller, Treasurer

Figure 20

A few minutes after sending the revised invitation and the response form to the campaign, Ms. Wink sent the same information to Rose Ann Dieck and David Karst of the RPMC. See Figure 21.

From:	<u>Darlene Wink</u>
To:	<u>Rose Ann Dieck</u>
Cc:	<u>David Karst</u>
Date:	Tuesday, October 06, 2009 11:21:23 AM
Attachments:	Scott Walker Birthday Response Form Revised 10-6-09.doc Scott Walker Birthday Response Single Form.docx 11.6.09 Invitation.doc
Here is the revised invitation and form.	
The single form can be used by Herb when he emails the Invitation out.	

Figure 21

On Thursday October 8, 2009 at 10:37 a.m., Wink sent another version of the invitation with further changes to Fadness for the purpose of posting the invitation on the campaign webpage.⁸ This version identified Vicki McKenna as the event Emcee, as described in Figure 22.

⁷ See footnote 3.

⁸ See footnote 3.

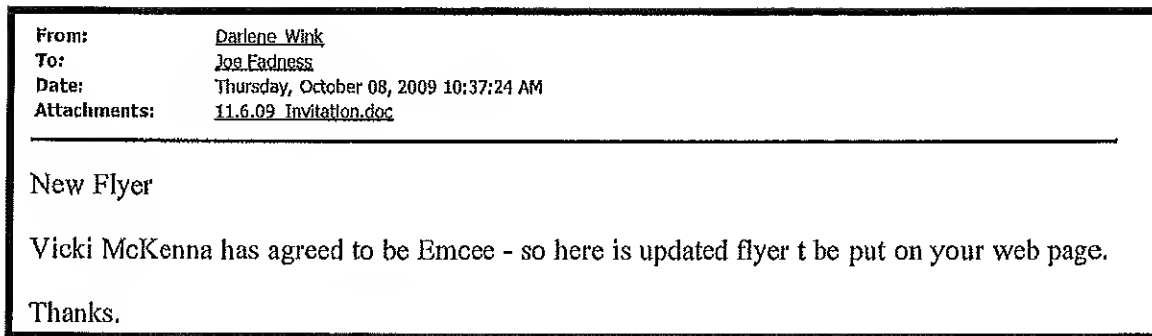


Figure 22

On Monday October 19, 2009, at 11:06 a.m., the Walker Campaign Operations Manager, Joe Fadness, sent an e-mail to Darlene Wink - who was then present in the Milwaukee County courthouse for Jury Duty - for the purpose of requesting a fundraiser contribution. Fadness forwarded an e-mail from an executive at the Brookdale Senior Living Center, Inc. The executive had sent an e-mail to the Walker campaign web site, scottwalker.org.⁹ The e-mail from the executive stated:

I am interested in learning more about the opportunity to host this event and help Scott Walker raise funds for his gubernatorial campaign. Feel free to call my cell phone (the number is listed below). Thanks.

About twenty-five minutes later, at 11:31 a.m., Wink forwarded the e-mail she had received from the campaign to Rose Ann Dieck. Writing that she was then in "Jury Duty," Wink asked Dieck to follow through on this fundraising information from the campaign. See Figure 23.¹⁰

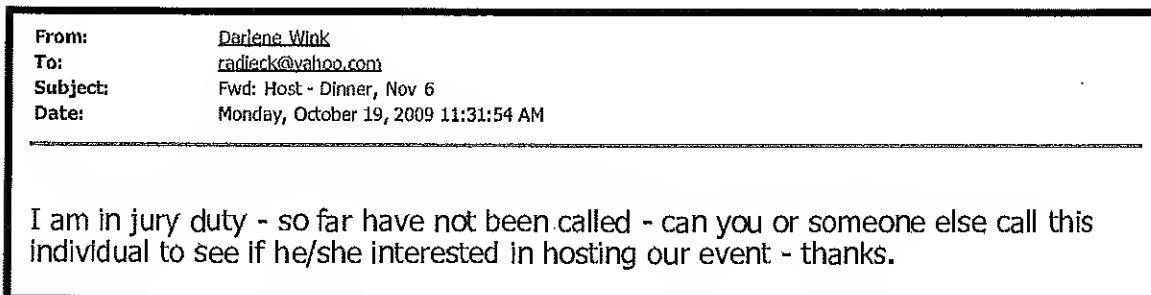


Figure 23

On Tuesday October 20, 2009, at 9:59 a.m. during a regular workday for Darlene Wink, Fadness again forwarded an e-mail to Darlene Wink for the purpose of collecting a fundraising contribution. Like the Monday October 19, 2009 e-mail, this e-mail had originally been received on the campaign website. See Figure 24.¹¹

⁹ See footnote 4.

¹⁰ The John Doe Judge issued a Search Warrant for the account radieck@yahoo.com. This e-mail was recovered from that account.

¹¹ See footnote 9.

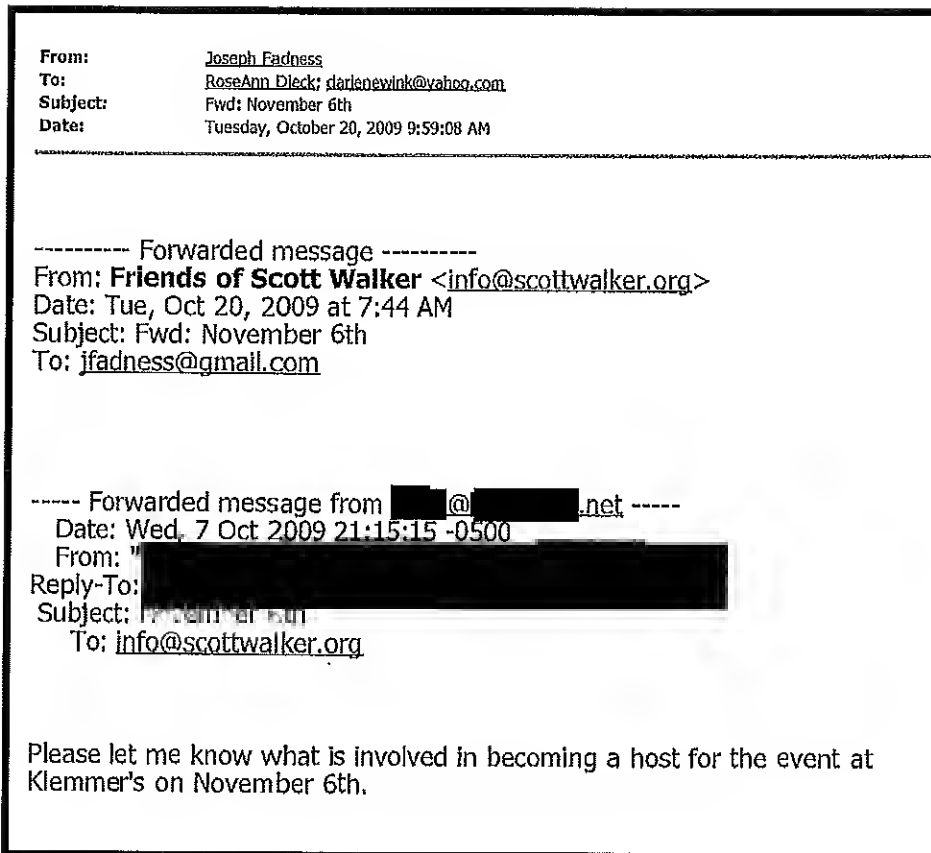


Figure 24

At about this point in time, it was learned that Sarah Palin would visit Milwaukee on the day of the scheduled Happy Birthday fundraiser.

Consequently, on Monday October 20, 2009, at 10:07 a.m., Wink wrote the Republican Party of Wisconsin (RPW) chairperson Reince Priebus (with a copy to Joe Fadness) seeking Priebus' help in inviting Sarah Palin to attend the "Happy Birthday" fundraiser during her visit to Milwaukee. See Figure 25.

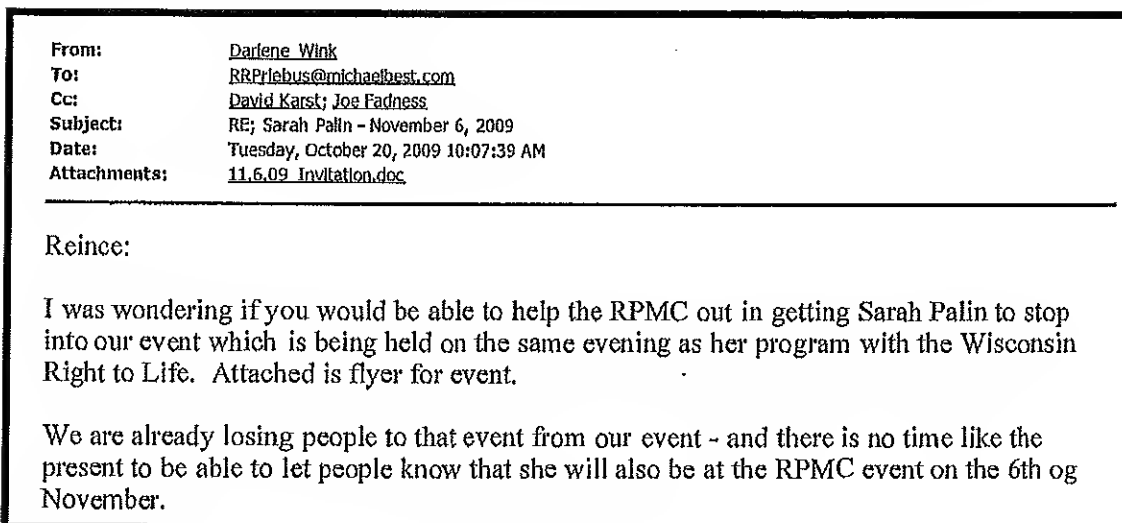


Figure 25

With copies to Joe Fadness and others, the RPW chairman replied to the e-mail shown in Figure 25 at 10:12 a.m. stating that he was checking Palin's availability for party functions. Wink replied with her thanks at 10:22 a.m.

On 3:26 p.m. on the following workday, Wednesday October 21, 2009, Ms. Wink sent an e-mail to Joe Fadness and other persons helping to organize the "Happy Birthday Scott" event.¹² The attached information concerned volunteer activities for the fundraiser and it referenced a meeting to be held that night (October 21, 2009). The following day, Ms. Wink wrote to the Walker Campaign Operations Manager, Joe Fadness, expressing her frustration with the level of assistance that she and the Republican Party of Milwaukee County had received from the campaign. The text of the e-mail indicated that the "Happy Birthday" event may be cancelled and that Wink felt "abandoned" by the campaign. See Figure 26.

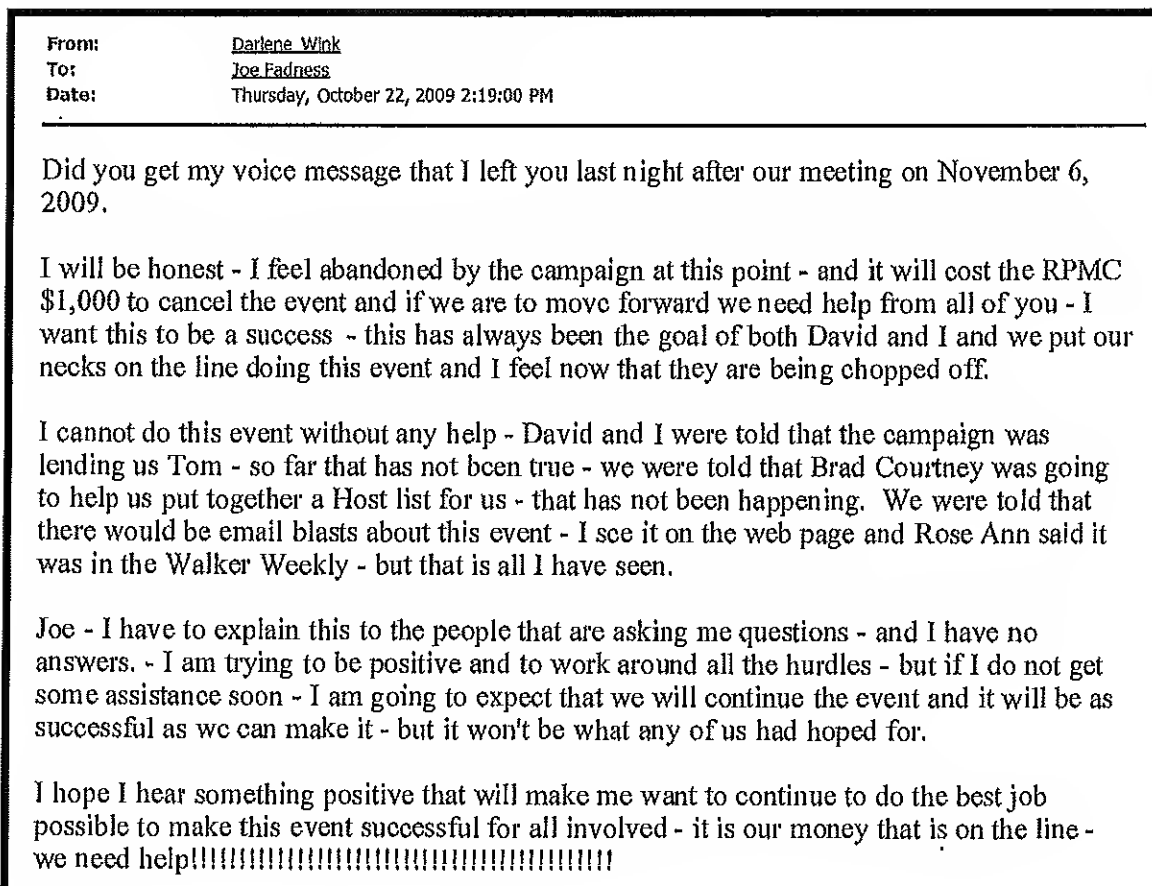


Figure 26

With the event in flux because of the possibility of the Palin appearance in Milwaukee, and without confirmation that Sarah Palin could or would attend the RPMC fundraiser, contingency plans started to develop.

On the following page, Figure 27 to Figure 29 reflect work done by Ms. Wink planning for the possibility that Sarah Palin would or would not be able to attend the Happy Birthday fundraiser event.

¹² See footnote 3.

From: Darlene Wink
To: David Karst
Cc: Rose Ann Dieck
Subject: RE: Cancellation of November 6th Event
Date: Tuesday, October 27, 2009 3:47:40 PM
Attachments: 11.6.09_Invitation - Cancelled.doc
Cancellation of November 6th Event.doc

David:

Attached are the two documents I have prepared in case we have to cancel the November 6, 2009 event - please review them - and let me know if you have any suggestions or questions or see any mistakes as I prepared this quickly. I thought we should have this prepared just in case - Herb will need to send this out as soon as decision had been made.

I am also going to prepare another flyer saying that Sarah Palin will be joining us - just in case we are that lucky - but I think that we have to make a decision soon so that everyone can move on to the next event and we can only hope that Vicki McKenna will be able to make the next event date scheduled.

I am just trying to think ahead and I know that you do not have a lot of time to do this - so I'm hoping this will be of help to you.

Darlene

Figure 27

From: Darlene Wink
To: David Karst
Cc: Rose Ann Dieck
Subject: RE: Palin Flyer
Date: Tuesday, October 27, 2009 4:24:13 PM
Attachments: Palin Flyer.docx

Here is Palin Flyer. - just in case.

Figure 28

From: Darlene Wink
To: David Karst
Cc: Rose Ann Dieck
Subject: RE: Revised Cancellation Ltr.
Date: Tuesday, October 27, 2009 4:37:02 PM
Attachments: Cancellation of November 6th Event - Revised.doc

Revised ltr.

Figure 29

Trying to determine if Sarah Palin might yet attend the "Happy Birthday Scott" event, Wink e-mailed Reince Priebus on Wednesday October 28, 2009 at 3:52 p.m. during her workday. Mr. Priebus e-mailed in reply at 4:14 p.m. noting that

Ms. Palin was "five hours behind us" and stating that, if there was any chance Palin would attend, he would soon know. At 4:17 p.m., Ms. Wink responded thanking Mr. Priebus and saying that she had forgotten about the time difference (between Alaska and Wisconsin) that would be involved.

On Friday October 30, 2009, at 1:05 p.m., Darlene Wink sent to the Walker campaign - in the person of Joe Fadness - a notice that the "Happy Birthday Scott" event had been cancelled.¹³

G. AFTER CANCELLATION OF THE NOVEMBER FUNDRAISER, MS. WINK COMMENCED WORK ON A REPLACEMENT EVENT, A HOLIDAY GALA FEATURING CANDIDATE SCOTT WALKER

The November event having been cancelled, discussion turned to rescheduling the event. The event was proposed for December 7, 2009. The theme of the event was expected to change from "Happy Birthday Scott" to a "Holiday Gala." Writing to the president of the RPMC, David Karst, at 3:43 p.m. on November 16, 2009, a personal off day, Wink forwarded the first draft of a potential fundraiser flyer and the response form.¹⁴ See Figure 30 and Figure 31 (next page).

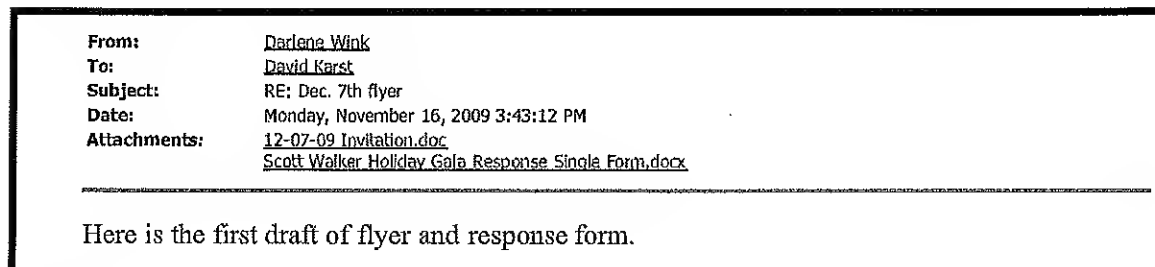


Figure 30

Wink sent this e-mail to Karst (Figure 30) and the attachment (Figure 31) about thirty minutes after a series of phone calls she exchanged with Joe Fadness on November 16, 2009, a personal off day.¹⁵

¹³ See footnote 3.

¹⁴ See footnote 3.

¹⁵ See footnote 3.

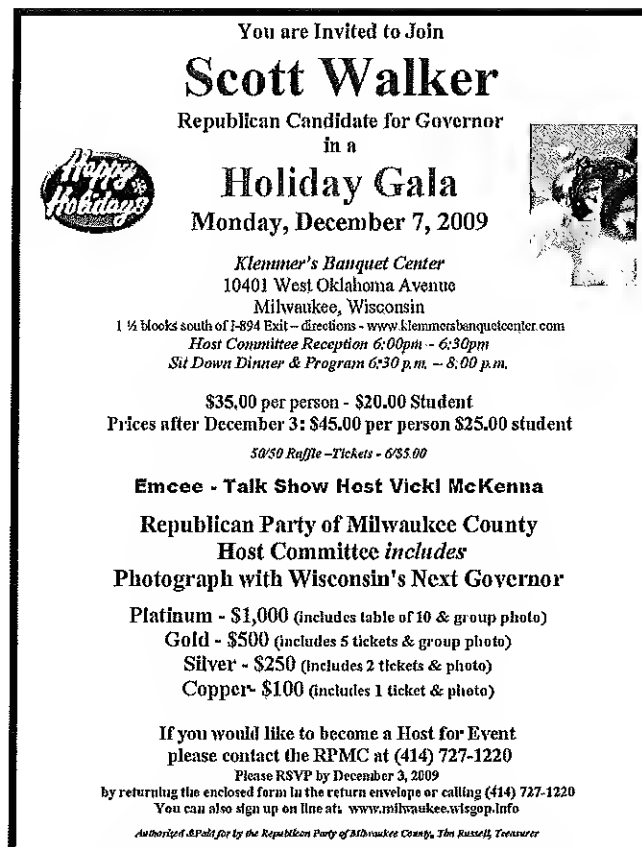


Figure 31

On the following day, Tuesday November 17, 2009 a workday, Wink exchanged e-mails throughout the morning concerning the decision to reschedule the Holiday Gala fundraiser. Moreover, Wink's phone records indicate she spoke with David Karst for more than a half-hour that morning. In an e-mail sent by Karst to Darlene Wink and other RPMC members at 11:48 a.m., Karst announced that RPMC members were in favor of a rescheduled event. Karst wrote:

I believe we need 9 to approve, I would be 10. [T]he event is approved[.] [T]he flyer will sent to [H]erb today to send out tonight. Those that are interested in assisting[,] please come to a meeting that will begin tomorrow at 5:45 at County headquarters. Thank you for your prompt approval and helping make this event a success!

Rose Ann Dieck wrote to Karst and Wink at 12:58 p.m. that day (November 17, 2009) asking about the flyer that Karst intended to publish that evening (described in the above quote) and about "robo-calls" proposed by one of the members. See Figure 32.

From: RoseAnn Dieck
To: dkarst@wi.rr.com
Cc: Darlene Wink
Subject: Re: Walker December 7th event
Date: Tuesday, November 17, 2009 12:58:36 PM

Are you referring to one of the flyers that Darlene has already done?

Darlene and I had talked about those whose emails we have would only receive an email. Others would get the paper invite.

What about Josh's suggestion about 5000 robo calls. Where are we getting these numbers from. I hope its not another list like Bob Spindell provided us with for the Charlie Plumb event.

Figure 32

In two e-mails Wink sent at 4:04 p.m. and 4:37 p.m. on Tuesday November 17, 2009 to Rose Ann Dieck, Wink worked on revisions to the "Holiday Gala" flyer.¹⁶ At 5:13 p.m., she e-mailed David Karst and Walker Campaign Operations Manager Joe Fadness, among others, alerting them to the fact that she would be taking her laptop computer home to work on the fundraiser materials. See Figure 33.

From: Darlene Wink
To: David Karst
Cc: hripka@milwpc.com; Rose Ann Dieck; Joe Fadness; Timrussellwi@gmail.com
Subject: Flyer for December 7th event - Walker Holiday Gala event
Date: Tuesday, November 17, 2009 5:13:16 PM
Attachments: 12-07-09 Invitation revised.doc
Scott Walker Holiday Gala Response Single Form.docx

I will take lap top home with me - I can make any changes tonight - just let me know what you need changed.

I made the changes that Rose Ann suggested.

I also have the attachment that should go with the email.

I did not include Vicki McKennea as I have not heard back from her - I can always change the flyer to reflect that once we know for sure - how about Rebecca Kleefisch is Vicki is not available?

Figure 33

Wink followed this e-mail (Figure 33) with a 5:25 p.m. e-mail telling Fadness to "make sure that when you put this on your web page . . . you use the link that Rose Ann sent to me for the individuals to reply to - so that the RPMC gets all requests."¹⁷ In his John Doe testimony, Fadness confirmed that this was a reference to the scottwalker.org web site. Fadness Doe testimony 121-122.

¹⁶ See footnote 3.

¹⁷ See footnote 3.

On Wednesday November 18, 2009 at 1:22 p.m. during her workday, Wink sent an e-mail to Joe Fadness asking whether Fadness or Tom Evenson will be attending the RPMC meeting concerning the "Holiday Gala." See Figure 34. In the text

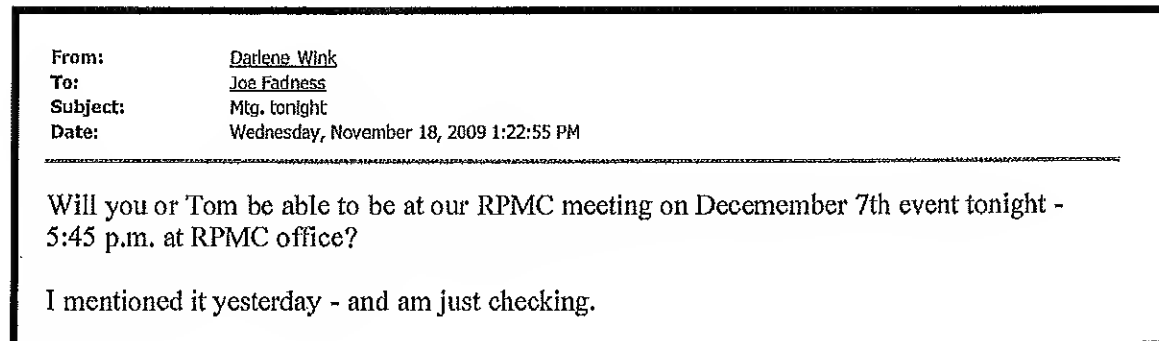


Figure 34

of this e-mail, Wink refers to the fact that she "mentioned it yesterday." Wink's cell phone records indicate that on Tuesday November 17, 2009, Wink initiated a phone call at 2:48 p.m. during her workday to Joe Fadness. The phone call lasted seventy-one seconds.

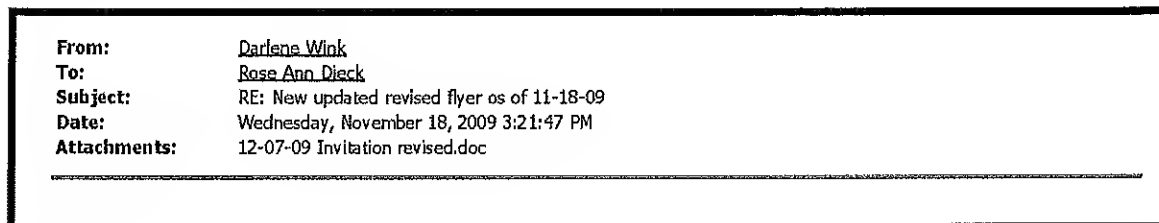


Figure 35

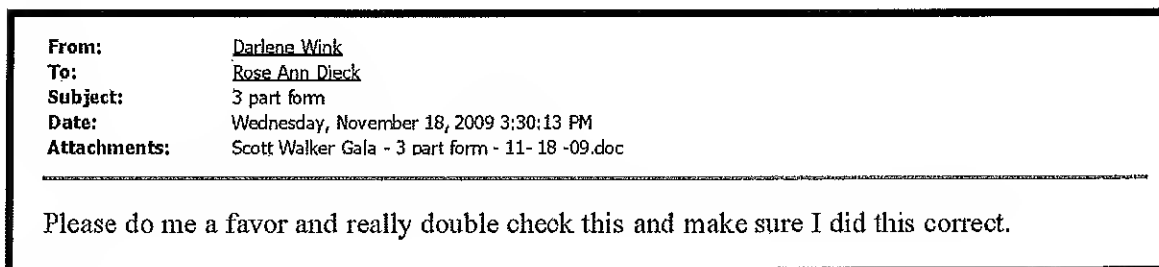


Figure 36

Figure 35 and Figure 36 above were also written on Wednesday November 18, 2009. These e-mails reflect additional work by Ms. Wink on fundraising issues, specifically the fundraiser invitation and response forms for contributors.

Late in the evening of Monday November 23, 2009, at 9:52 p.m., Wink wrote to Joe Fadness, the Walker Campaign Operations Manager, with questions regarding e-mail blasts and robo-calls that were supposed to be arranged by the campaign, among other matters, for the Holiday Gala event.

From: [Joseph Fadness](#)
To: [Darlene Wink](#)
Subject: Re: December 7th Event
Date: Monday, November 23, 2009 9:54:05 PM

Darlene - let's talk tomorrow. Thanks.

On Mon, Nov 23, 2009 at 7:52 PM, Darlene Wink <rpmcyp@yahoo.com> wrote:
 Just checking in - can you tell me when the campaign will do email blasts?

Were you able to check on the robo calls you thought the campaign could do?

I have the decorations for the tables and stage, talked with Maureen and she thinks that

Figure 37

From: [Darlene Wink](#)
To: [Joseph Fadness](#)
Subject: Re: December 7th Event
Date: Monday, November 23, 2009 10:03:33 PM

Sounds good - will be at work. Have a good night and take care.

From: Joseph Fadness <jfadness@gmail.com>
To: Darlene Wink <rpmcyp@yahoo.com>
Sent: Mon, November 23, 2009 9:54:03 PM
Subject: Re: December 7th Event

Darlene - let's talk tomorrow. Thanks

Figure 38

Fadness indicated his preference to talk "tomorrow." See Figure 37.¹⁸ In reply at 10:03 p.m. on November 23, 2009, Darlene Wink implicitly agrees to "talk tomorrow" and tells Fadness that she will be "at work." See Figure 38.¹⁹

On the following day, Tuesday November 24, 2009 at 1:25 p.m. in the midst of Wink's workday, as evidenced by Wink's cell phone records, Fadness initiated a phone call to Ms. Wink and spoke with her for over one-half hour.

On Sunday afternoon, November 29, 2009, Fadness contacted Darlene Wink to make arrangements for a robo-call that Scott Walker would be making in connection with the Holiday Gala. See Figure 39.²⁰

¹⁸ See footnote 3.

¹⁹ See footnote 3.

²⁰ See footnote 3.

From: jfadness@gmail.com on behalf of Joseph Fadness
To: darlenewink@yahoo.com; Darlene Wink
Subject: Call script
Date: Sunday, November 29, 2009 5:31:06 PM

Darlene,

What are your thoughts on the script below?

Hi, this is Scott Walker calling to inform you of a special Holiday Gala hosted by the Republican Party of Milwaukee County on Monday, December 7. It will take place from 6pm-8pm at Klemmer's Banquet Center, which is located at 10401 West Oklahoma Avenue in Milwaukee. I will be there, and I encourage you to join us, as well, for this exciting event. Again, the event is on December 7, and I hope to see you there. To RSVP, please call (414) 727-1220.

This call was authorized and paid for by the Republican Party of Milwaukee County, Tim Russell, Treasurer

--
Joseph Fadness
Friends of Scott Walker
Office: (414) 453-2010
Email: joef@scottwalker.org

Figure 39

On the following workday, Monday November 30, 2009, at 9:56 a.m., Wink e-mailed RPMC chairman David Karst, with a copy to Joe Fadness.²¹ Wink sought approval of the Scott Walker script for the Holiday Gala from Karst. See Figure 40.²²

From: Darlene Wink
To: dkarst@wi.rr.com
Cc: joef@scottwalker.org
Subject: Fw: Call script
Date: Monday, November 30, 2009 9:56:41 AM

David:

Did you ok the final changes to the script - so joe can give it to the Executive to record? If I don't hear from you shortly I am going to tell joe to go ahead with the changes I made so the Executive can record the robo call - thanks.

Figure 40

With a copy to Joe Fadness, RPMC chairman Karst replied to Wink with his approval and he requested that Wink call him "when [she] get[s] a chance." See Figure 41.²³

²¹ See footnote 4.

²² See footnote 4.

²³ See footnote 4.

From: dkarst@wl.rr.com
To: [Darlene Wink](#)
Cc: joef@scottwalker.org
Subject: Re: Fw: Call script
Date: Monday, November 30, 2009 10:01:19 AM

yes. I have tried to call you several times this morning. Please call me when you get a chance.
 Thnaks
 david
 ---- Darlene Wink <darlenewink@yahoo.com> wrote:
 > David:

Did you ok the final changes to the script - so Joe can give it to the Executive to record? If I don't hear

Figure 41

In response to Karst's request for Wink to call (Figure 41), Wink called Karst at 11:14 a.m. during her workday on Monday November 30, 2009. Wink cell phone records indicate that she talked to Karst for thirty-one minutes.

At 3:15 p.m. on December 1, 2009, Fadness e-mailed Wink to alert her to the fact that the Scott Walker robo-calls promoting the Holiday Gala had been executed. He included the invoice for the RPMC. See Figure 42.²⁴ Wink acknowledged Fadness' e-mail with her thanks within ten minutes at 3:25 p.m. See Figure 43.²⁵

From: jfadness@gmail.com on behalf of [Joseph Fadness](#)
To: [Darlene Wink](#)
Subject: Report and Invoice
Date: Tuesday, December 01, 2009 3:18:51 PM
Attachments: [391201 Republican GOP.pdf](#)
[1201milwaukeeqop.xls](#)

All calls have been executed. Invoice attached.

Figure 42

From: [Darlene Wink](#)
To: [Joseph Fadness](#)
Subject: Re: Report and Invoice
Date: Tuesday, December 01, 2009 3:25:48 PM

Thanks Joe - really appreciated.

From: Joseph Fadness <joef@scottwalker.org>
To: Darlene Wink <darlenewink@yahoo.com>
Sent: Tue, December 1, 2009 3:18:51 PM

Figure 43

²⁴ See footnote 4.

²⁵ See footnote 4.

From: Darlene Wink
To: Timrussellwi@gmail.com
Subject: Fw: Report and Invoice
Date: Tuesday, December 01, 2009 3:24:43 PM
Attachments: 391201 Republican GOP.pdf
1201milwaukeeqop.xls

Here is invoice for calls - RPMC needs to pay.

Figure 44

At about the same time, Wink sent the invoice she received from Fadness to Tim Russell, the RPMC Treasurer. She also e-mailed David Karst to advise him of the bill and the number of people registered to attend the fundraiser. See Figure 44.

At 3:35 p.m. on Tuesday December 1, 2009, Ms. Wink forwarded via e-mail a draft of the Holiday Gala program to Rose Ann Dieck for her review. About forty minutes later, at 4:15 p.m., Ms. Dieck replied by e-mail identifying several errors. Ms. Wink made the corrections and sent a revised program to Dieck at 4:36 p.m. At 4:42 p.m., Ms. Wink e-mailed Rose Ann Dieck with multiple attachments relating to the fundraiser, denominated as "Volunteer Job Descriptions 2009.doc," "50-50 Raffle Ticket Sign.doc," "At Door Prices Sign.doc," "Host Table.doc," "Registration Table.doc," and "RPMC Merchandise Table.doc."

On Wednesday December 2, 2009, throughout the course of her workday afternoon, Ms. Wink communicated with Ms. Dieck concerning the number of people thus far registered for the Holiday Gala event. At one point, Ms. Wink told Dieck that she was unable to get through to Dieck because Dieck had turned off her "IM," an apparent reference to Instant Messenger.

In anticipation of the December 7, 2009 Holiday Gala event, at 8:52 a.m. during the course of her workday on Thursday December 3, 2009, Wink wrote to Joe Fadness addressing certain event details. See Figure 45 below.²⁶ About thirty minutes later, at 9:17 a.m. during her workday, Fadness responded to Wink's questions. See Figure 46 below.²⁷

²⁶ See footnote 3.

²⁷ See footnote 3.

From: Darlene Wink
 To: Joe Fadness
 Date: Thursday, December 03, 2009 8:52:49 AM

Just a couple of things about Monday:

#1 - Will you have interns that can help with us with the 50/50 Raffle

#2 - Is it possible for the campaign to do one more email blast today or tomorrow?

#3 - I know that the campaign should not have received any reservations - but can you have someone check My Scott Spot - just in case.

Also, just so you know - Josh Hoshington brought up that the campaign would not put the event on their Facebook page which reaches 5,000 people - I told David that I thought the reason for that was that those people are not all in this area of the state - but Josh was making a big deal about it at our Exec Board mtg. so can you give me the explanation so I can make sure people have a clear understanding why it was not done.

So far - we are up over 100 people - which is less then we had even with Palin in town - guess true blue Packer Fans are even more dedicated to the Pack that Palin supporters are to Palin - ha! ha!

Thanks Joe.

Figure 45

From: Joseph Fadness
 To: Darlene Wink
 Subject: Re:
 Date: Thursday, December 03, 2009 9:17:03 AM

Hi Darlene,

I am not sure that we have enough email credits to send another blast. We buy credits (each email is 1 credit) since our list is so large, and we are near the end of our allotment for the year. I will follow-up with you on this.

Yes - we will have interns to help with the raffle - and really, anything that you need (registration, etc). How many volunteers would you like us to bring?

Yes - we will check MyScottSpot today and get back to you with any additional RSVPs.

We have explained to Josh that we created TWO facebook events - in addition to the event that he created on behalf of the RPMC. I am not sure how much more we can do without buying Facebook ads (which we don't have the money for).

I hope this makes sense. Let me know if you have questions. Thank you!

Joe

Figure 46

This e-mail exchange (Figure 45 and Figure 46) was followed by a two minute phone call initiated by Darlene Wink to Joe Fadness at 9:42 a.m., as evidenced by Wink's cell phone records.

At 11:41 a.m. on Thursday December 3, 2009, Ms. Wink sent a document to Rose Ann Dieck entitled "Republican Party of Milwaukee County Program Front and Back 120209.doc." Dieck also sent to Wink a series of e-mails regarding the printing of the fundraising program and other event details.

At 3:37 p.m. on Thursday December 3, 2009, Wink sent an update to RPMC chairperson David Karst. See Figure 47.²⁸ Wink followed this e-mail at 4:10 p.m. with an e-mail to Karst containing the updated event program.

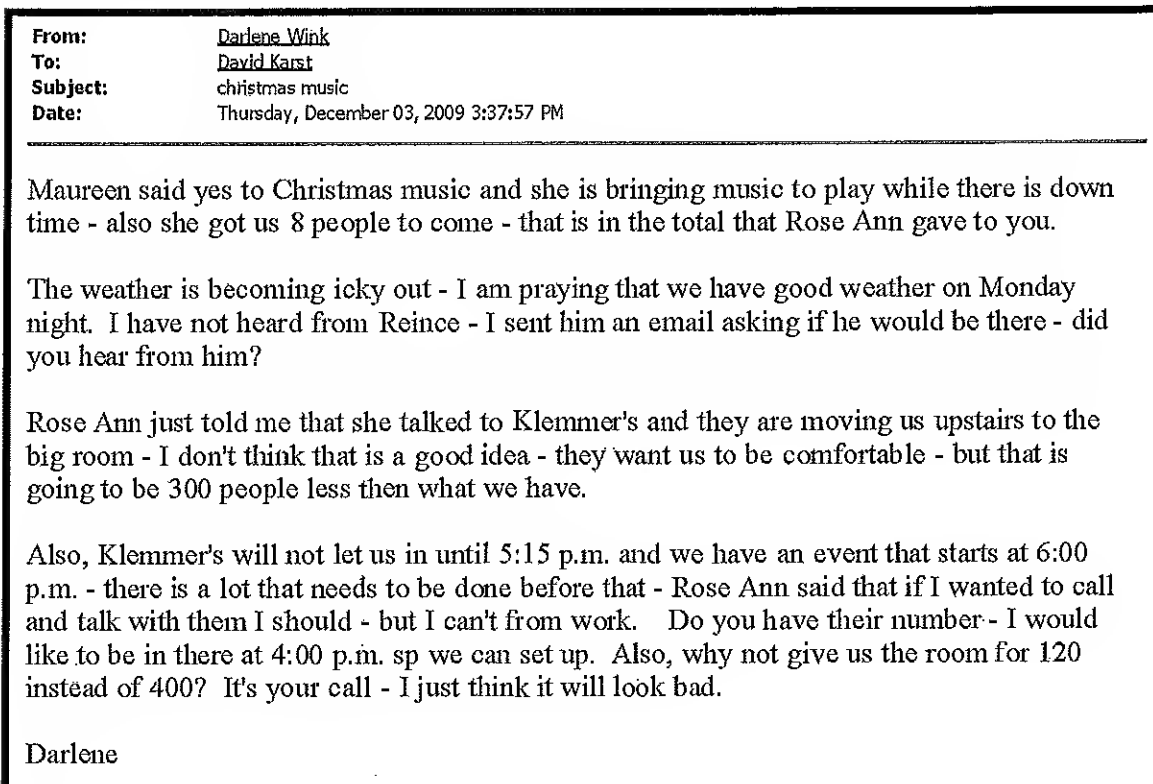


Figure 47

On Friday December 4, 2009, at 1:08 p.m. during her workday, Darlene Wink e-mailed Joe Fadness with questions about "Holiday Gala" registrations on the campaign website or Facebook page. See Figure 48 below.²⁹ Within the half-hour, at 1:30 p.m., Joe Fadness replied with the information necessary to evaluate who may have signed up for the Holiday Gala on the campaign sites. See Figure 49 below.³⁰ Ms. Wink replied with indications that she had evaluated the information at 1:38 p.m., some eight minutes later. See Figure 50 below.³¹

²⁸ See footnote 3.

²⁹ See footnote 3.

³⁰ See footnote 3.

³¹ See footnote 3.

From: Darlene Wink
To: Joe Fadness
Date: Friday, December 04, 2009 1:08:02 PM

Someone called Rose Ann today and said that they saw 34 people on Face book that have signed up for the event on Monday - I cannot find anything - please can you look to see if there is anything on Scott's Facebook or My Scott.com - otherwise we may not have enough food to feed everyone.

Also, I spoke to Rose Ann she thought that we could use 4 interns - I know that we will need help setting up - and the last I heard from Klemmer's is that they did not want to leave us in the place until 5:15 p.m. - David was going to call them to see if that matter could be resolved and we can get in early.

Don't forget to bring campaign signs, bumper stickers, whatever you have with you to - I am sure we will get requests. Fran is doing a new button for us of Scott.

Thanks - talk to you soon.

Figure 48

From: Joseph Fadness
To: Darlene Wink
Subject: Re:
Date: Friday, December 04, 2009 1:30:07 PM

Darlene,

Below you will find links to the two Facebook events pages that were created. You will need to see if there is anyone there that isn't on your RSVP list.

No problem - we will have 4 volunteers there by 5pm (or earlier if you gain access).

<http://www.facebook.com/event.php?eid=176289394964&index=1>

<http://www.facebook.com/event.php?eid=184766797578&index=1>

Let me know if you have any questions. Thank you.

Joe

Figure 49

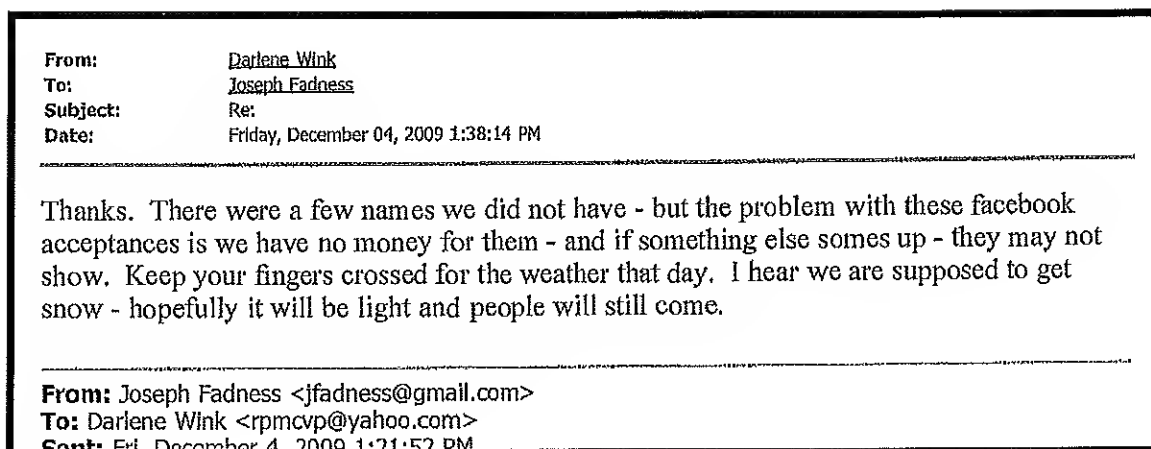


Figure 50

Throughout the course of Friday December 4, 2009, Ms. Wink communicated via e-mail using her rpmcvp@yahoo.com e-mail address on matters concerning the Holiday Gala. In these e-mails, Wink dealt with issues concerning registrations, sponsors, news releases and other details for the event. In so doing, she primarily corresponded with Rose Ann Dieck and David Karst.

H. OTHER POLITICAL SERVICE ACTIVITIES DURING THE COURSE OF DARLENE WINK'S WORKDAY

Ms. Wink involved herself in other matters during the course of her workday as a Milwaukee County employee. This complaint is intended to embrace all such conduct. These other matters included her work during county business hours on:

1. The drafting and dissemination of press releases for the RPMC such as the one discussed in Figure 51 between the hours of 10:19 a.m. CDT and 4:39 p.m. CDT on August 17, 2009 (as recovered from Ms. Wink's county work computer). Wink's publications included a September 24, 2009 press release entitled "Republican Party of Milwaukee County Supports Milwaukee County Executive 2010 Milwaukee County Budget;" a September 28, 2009 release entitled "New Leadership Needed - Wisconsin ranked third worst state in country to do business;" and a November 4, 2009 release entitled "Victories in New Jersey and Virginia big wins for GOP."

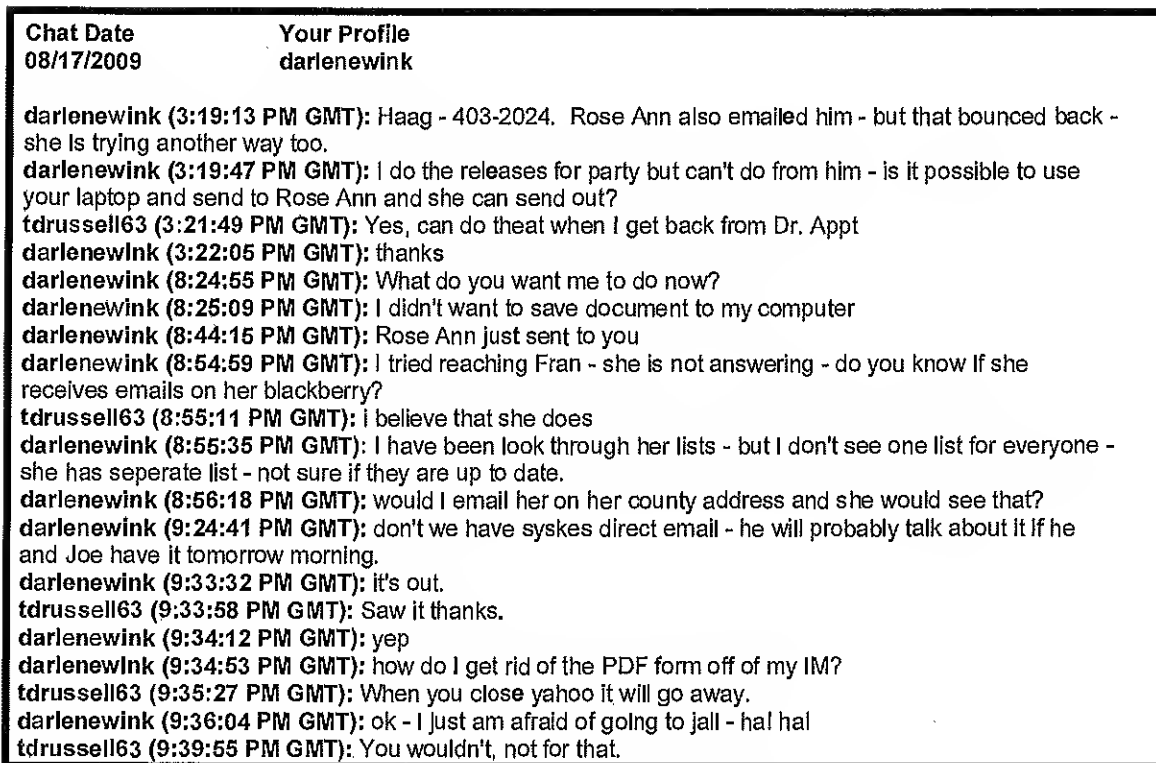


Figure 51

2. Phone banks such as the one referenced in Figure 52.³²

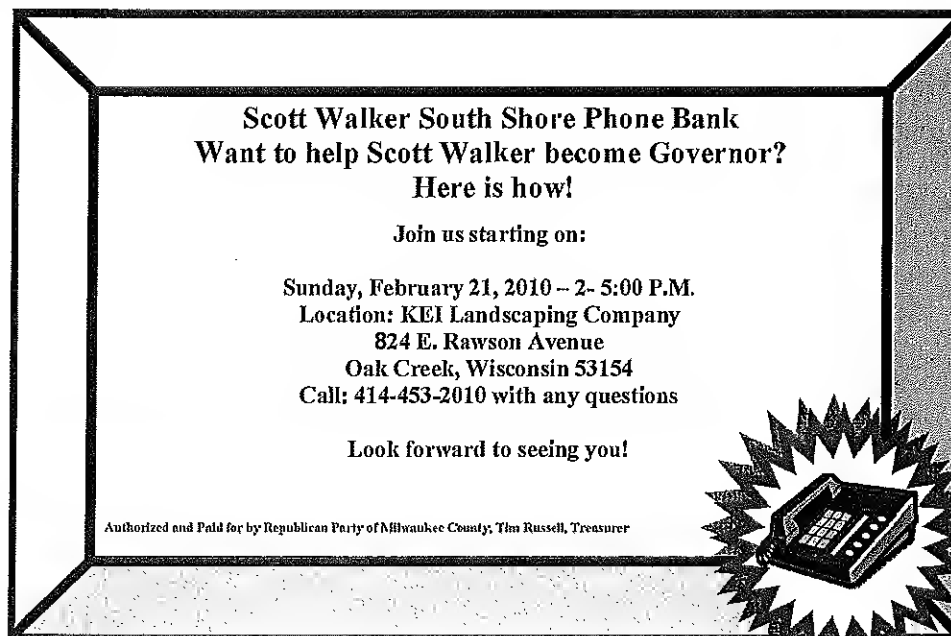


Figure 52


3. The Ronald Reagan Dinner in February 2010.

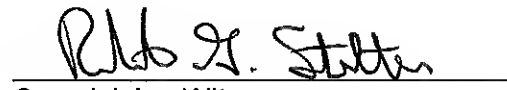
³² The document represented by Figure 52 was actually forwarded using rpmcwp@yahoo.com on an off-day but the issue of this and other phone banks was discussed in e-mails on other workday dates.

4. The ordering of political merchandise for sale at events such as the Republican Convention and the State Fair.
5. Other matters relating to the general business of the RPMC.

****End of Complaint****

Subscribed and sworn to before me and
approved for filing at Milwaukee, Wisconsin
on this 25TH day of January 2012.


John J. Chisholm
District Attorney
State Bar No. 1023023


Complaining Witness

BJL\bl

-- Felony Complaint --

CRIMINAL DIVISION
12 JAN 26 AM 10:16
CLERK OF CIRCUIT COURT